

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4773

ANSWERED ON:19.12.2002

WITNESSES TURNING HOSTILE IN THE CASES PENDING BEFORE COURTS

SURESH RAMRAO JADHAV (PATIL)

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government are taking measures to prevent witnesses turning hostile in the cases pending before the courts;
- (b) if so, details thereof; and
- (c) the time by which these measures are likely to be introduced?

Answer

MINISTER OF LAW & JUSTICE (SHRI K. JANA KRISHNAMURTHI)

(a) to (c) Section 162 of the Code of Criminal Procedure, 1973 provides that no statement made by any person to a police officer in the course of an investigation shall, if reduced to writing, be signed by the person making it. To prevent the problem of witness turning hostile, the Law Commission in its 178th Report has, inter-alia, recommended insertion of Section 164-A after Section 164 of the Code of Criminal Procedure, 1973. A copy of the proposed Section 164-A is attached (Annexure). The same would be processed in consultation with the State Governments as the Criminal Law and Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India. It is, however, not feasible to fix time frame for this.